

FILED**OCT 04 2017**CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
EAST ST. LOUIS OFFICE**UNITED STATES DISTRICT COURT**

for the

Southern District of Illinois

<u>Ricky PATTERSON</u>)	Case Number: <u>17-1067-MJR</u>
_____)	(Clerk's Office will provide)
_____)	
Plaintiff/Petitioner(s))	<input checked="" type="checkbox"/> CIVIL RIGHTS COMPLAINT
v.)	pursuant to 42 U.S.C. §1983 (State Prisoner)
<u>% D. Johnson # 7275 et al</u>)	<input type="checkbox"/> CIVIL RIGHTS COMPLAINT
_____)	pursuant to 28 U.S.C. §1331 (Federal Prisoner)
_____)	<input type="checkbox"/> CIVIL COMPLAINT
Defendant/Respondent(s))	pursuant to the Federal Tort Claims Act,
		28 U.S.C. §§1346, 2671-2680, or other law

I. JURISDICTIONPlaintiff: Ricky PATTERSON

A. Plaintiff's mailing address, register number, and present place of confinement.

10930 LAWRENCE, ROAD
SUMNER, ILLINOIS, 62466
Reg# B379037
LAWRENCE CORRECTIONAL CENTER

Defendant #1:

B. Defendant D. Johnson # 7275 is employed as

(a) (Name of First Defendant)

CORRECTIONAL OFFICER

(b) (Position/Title)

with LAWRENCE CORRECTIONAL CENTER

(c) (Employer's Name and Address)

10930 LAWRENCE ROAD, SUMNER ILL, 62466At the time the claim(s) alleged this complaint arose, was Defendant #1 employed by the state, local, or federal government? ☒ Yes ☐ No

If your answer is YES, briefly explain: WORKING AS C/O THAT RAN
HOUSING UNIT 1-C IN NOV-2016 - 5-8-B IN APRIL-JULY
2017 ON THE 7-3 shift.

Defendant #2:

C. Defendant WARDEN LAMB is employed as

(Name of Second Defendant)

Chief Administrative Officer
(Position/Title)

with (I.D.O.C.) Lawrence Correctional Center
(Employer's Name and Address)

10930 LAWRENCE ROAD, SUMNER, ILLINOIS, 62466

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government? ☒ Yes ☐ No

If you answer is YES, briefly explain:

Chief Executive/Administrative officer
MAKES policy - Finalizes Disciplinary Decisions
Answers Emergency grievances

Additional Defendant(s) (if any):

D. Using the outline set forth above, identify any additional Defendant(s).

Lieutenant M. McCarthy

Lieutenant

Lawrence Correctional Center

10930 LAWRENCE ROAD, SUMNER, ILL, 62466

Yes

Over sees Housing Unit(s) - Correctional Officers

DEFENDANTS

E.) SERGANT CASBURN #10828

SERGANT

LAWRENCE CORRECTIONAL CENTER

10930 LAWRENCE ROAD, SUMNER, ILL, 62466

Yes

SERGANT of Segregation At time of violation

F.) LIEUTENANT L. MCCARTHY

LIEUTENANT

LAWRENCE CORRECTIONAL CENTER

10930 LAWRENCE ROAD, SUMNER, ILL, 62466

Yes

OVER see's Housing Unit(s) - Correctional Officers

G.) LIEUTENANT STIBBR #12571

(Shift Commander - Lieutenant)

LAWRENCE CORRECTIONAL CENTER

10930 LAWRENCE ROAD, SUMNER, ILL, 62466

Yes

OVER see's entire shift/staff

H.) L.T. HENTON #10195

Lieutenant / Adjustment Committee

LAWRENCE C. C.

10930 LAWRENCE RD, SUMNER, ILL, 62466 (YES)

Hears Major Discipline / 1000 cop's see unit

2A.

DEFENDANTS

I.) E. Cooper

Correction Officer / Adjustment Committee

Lawrence C.C.

10930 LAWRENCE RD. SUMNER, IL, 62466 (Yes)

HEARS Major ticket / Disciplinary

J.) Goodrum

Correctional Officer

Lawrence C.C.

10930, LAWRENCE RD, SUMNER, IL, 62466 (Yes)

Working As % in 8-B-UNIT on 3-11 shift

K.) Buckles #5031

Correctional Officer

Lawrence C.C.

10930, LAWRENCE RD, SUMNER, IL, 62466 (Yes)

Working As % in 6 Hous on 3-11 shift

L.) Sumner -ok- Summers

Correctional Officer

Lawrence C.C.

10930, LAWRENCE RD, SUMNER, IL, 62466 (Yes)

Working As % in 6-House on 3/11 shift

M.) Given's #6092

Correctional Officer / Ticket Investigator

Lawrence C.C.

10930, LAWRENCE RD, SUMNER, IL, 62466 (Yes)

To investigate charges & to reveal results to Adjustment

2 B.

DEFENDANTS

N.) I.D.O.C. Director J. Baldwin

Director of I.D.O.C.

P.O. Box 19277, Springfield, Ill, 62794-9277 (Yes)

Over See's Entire I.D.O.C. creates Policy/enforces policy

O.) Dave White

Administrative Review Board

P.O. Box 19277, Springfield, Ill, 62794-9277 (Yes)

Response to inmate appeals on grievances

P.) Counselor Ray

Counselor

Lawrence C. C.

10930 Lawrence Rd, Sumner, Ill, 62466

Help inmates resolve issues

2C.

II. PREVIOUS LAWSUITS

- A. Have you begun any other lawsuits in state or federal court relating to your imprisonment? ☒ Yes ☐ No
- B. If your answer to "A" is YES, describe each lawsuit in the space below. If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline. Failure to comply with this provision may result in summary denial of your complaint.

1. Parties to previous lawsuits:
Plaintiff(s): PATERSON

Defendant(s): Wexford Health Sources Inc et, all

2. Court (if federal court, name of the district; if state court, name of the county): U.S. District Court Northern District/Eastern Division
3. Docket number: 13C1501
4. Name of Judge to whom case was assigned: Judge Zagel
5. Type of case (for example: Was it a habeas corpus or civil rights action?): Civil Rights Action
6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?): Half Settled (defendants)
Half pending (defendants have not closed settlement)
7. Approximate date of filing lawsuit: 2013
8. Approximate date of disposition: 2015

- 1.) Parties to previous lawsuit:
PATTERSON
V.
Blagovich et, Al;
- 2.) Name of Court:
U.S. District Court Northern District - Eastern Division
- 3.) Docket number: 11c 1658
- 4.) Name of Judge: Judge Zagel
- 5.) Type of Case: Civil Rights (price gouging)
over-charging
- 6.) Disposition of Case: Dismissed
- 7.) Approx Filing: 2011
- 8.) Approx date of disposition: 2012

III. GRIEVANCE PROCEDURE

A. Is there a prisoner grievance procedure in the institution? ☒ Yes ☐ No

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? ☒ Yes ☐ No

C. If your answer is YES,

1. What steps did you take?

Sent NON-emergency grievances to Counselor. (the ones that were not lost on the Counselor level - were sent to the grievance office where they have not been replied to. Emergency grievances were sent directly to Warden Lamb...

2. What was the result?

The grievance process in Lawrence is broken. There is no appointed grievance officer. Grievances disappear on regular basis, as Counselors, Wardens either refuse to answer grievances or investigate the issue

D. If your answer is NO, explain why not.

E. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities? ☐ Yes ☐ No

F. If your answer is YES,

1. What steps did you take?

2. What was the result?

G. If your answer is NO, explain why not.

H. Attach copies of your request for an administrative remedy and any response you received. If you cannot do so, explain why not:

(SEE ATTACHED EXHIBITS.)

IV. STATEMENT OF CLAIM:

The following paragraph will show how plaintiff was subjected to -or- had his constitutional rights to be protected from -
 Cruel & Unusual punishment Eighth Amend. (grossly inflicted undue punishment)
 First Amendment (opening privileged mail & confiscating contents) -
 Deliberate indifference (AS officials refused/failed to provide remedy after being properly informed) - & Due Process U.S. Const XIV Amend. violated by the defendants.

1.) I arrived in Lawrence from Stateville on 11-4-16 (Transferred due to good behavior/Gang & Weapon Free). I was in the middle of both my criminal & appeal & civil issue. So legal transcripts - books & documents made up most of my property. The %'s here have constantly commented on this printing me out to their co-workers. Saying "he'll sue you" - "There's A Free VACATION" & "Judge Judie", all to get a rise out of me. I ignored this but in late Nov - my legal mail started being handed to me, opened & read. In spite of it clearly being stamped (Privileged MAIL)... This is directly against 20 ILL. ADMIN - Code CH I. 701.180 MAIL PROCEDURE. As (i) clearly states... - Privileged MAIL (shall) be opened in the presence of the detainee... I wrote three grievances on this issue only to have none them returned by the 6-House Counselor.

In late Dec-2016 I received several judges & attorney calls. Every time I exited these calls I would be met by some ill comment by a 6 house % in the bubble, who often would refuse to let me back on the wing unless I told him who I just spoke to. I've also written grievances on this but as of the day of filing this claim - I have not heard anything on these grievances nor received my requested copy. As it is the unwritten practice/policy of Lawrence to hold on to inmate grievances to discourage inmates from writing them. By Christmas my legal situation had picked up & my attorney at the time J. Bonjean out of New York sent me legal documents that needed to be notarized & signed, then returned back to her before the approaching court date.

However due to the way the system is set up in Lawrence inmates have to put open request slips in a box. Then the L.T. - will go over it & send it where it goes. (This sounds correct on it's face - but when the L.T. Refuses to send in request inmates are denied privileges.) As is the case here & with the approaching court date & needed notarized forms my attorney had to call the prison in order to get me access to a notary. Due to the %'s & L.T. directly disposing of my request slips & denying me legal access. On Dec 23-2016 I was sent to the

law library - I had the needed forms notarized/copied. That Monday Dec 26, 2016, I placed those documents in the institutional mail to my attorney properly addressed/postage. That MAIL NEVER MAID IT TO MY ATTORNEY. Forcing two extra court dates in Federal Court (Judges calls here in the institution).

In the first week of January I received an attorney call followed by judges call the next day. That night on 3/11 shift % Buckles #5031 came to my door again with opened privileged mail from my attorney. When I asked him why he opened my mail he stated "we gone make sure you don't see nobody here". We exchanged words - I he moved on. Later that night when they ran chow % Buckles #5031 opened the door wide open - I asked if I still had an issue. This is unusual because the L.T. - I %'s stand at the back of the wing - I heard people out the door. Not in the middle where 6-B-L-10 is located. I said nothing to % Buckles - I did not go to chow to avoid the situation; as it was clearly a move of intimidation - or - attempt to.

Approximately 3-4 days later I received a ticket dated 1-10-17. For a 307 charge: UNAUTHORIZED MOVEMENT: stating I was in the dayroom during upper decks dayroom (As if I broke out the cell). This ticket was written by % Buckles 5031 in an effort to bring disciplinary actions against me since he could not provoke a physical reaction from me. If it were not for my receipt having the time on it proving I was in the commissary at the time - worse case scenario - I could have been charged with an escape... Do to receipt ticket was expunged. (SEE EX. C. FINAL SUMMARY REPORT MR. JOSHUA B. SIMMS - CHAIR PERSON)

Once it was clear I would be cleared of this ticket As I showed the major my receipt (SEE EXA1), over the next two days when ever the L.T. - I % on the 3-11 shift ran chow they would come - I stand in front of my cell - open the door wide, but say nothing. This is highly unusual because (1) L.T. - I %'s start in the back of the wing - I slowly work their forward locking doors - I pushing everyone toward the hall. (2) L.T. %'s Do-Not open cell doors it's up to the INMATE to catch the door when it's buzzed if going to chow...

On Jan-12-2017 I was again written a false ticket (fraudulent) this time for 102: Assaulting any Person - I - 206: Intimidation or threat Where Lt. A. Stibb #12571 claimed I squeezed his biceps, prevented him from moving his arms - I then shoved him. This was suppose to have happened after on 1-12-17 on the (Same 3-11 shift) % Summer - or - Summers came to my cell with legal mail from the Fourth District Appellate Court. As I signed the legal mail receipt (to prove I got said mail) % Summer went through the envelope taking a key part of the enclosed documents

and a self addressed envelope from the Appellate Court. When I asked him what was he doing he said I could not have the envelope (AND do to default the documents.) I tried to point out to him that the Appellate Court gave me strict directions to sign the documents he kept - & return them at once. I literally let Him READ THE PARAGRAPH (SEE EX B. LETTER FROM Appellate Court.) Yet he still took the transcripts. At once I requested a L.T. - & about 10-15 min later % (tall gray haired heavyset w/ middle aged) opened the door to the cell - & explained why I couldn't have the envelope. But he totally ignored the real issue, the documents - transcripts that were sent by the court. He told me if I still had an issue to speak to the L.T. when they ran chow - & that the L.T. was aware of the problem.

About 15-20 min later L.T. Stibbs #12571 came to run chow - & I tried to speak to him. He told me he was busy - & to wait. When I tried to follow him, I was stopped by the two %'s. When L.T. Stibbs #12571 came from the back I tried to show him the paper from the Appellate court. He then started shouting "I ALREADY KNOW WHAT YOU WANT AND YOU CAN'T HAVE IT" ... I then underlined the sentence of the Appellate court (SEE EX B.) - & with paper in one hand, pen in the other tried to explain to L.T. Stibbs that I needed the documents/transcripts not the envelope.

He then started yelling as loud as he could - & waving his arms in the air - & counting. When I did not move he stepped forward - & ran into me. NOTE: I WAS holding on to my pen in one hand - & the letter from the Appellate Court in the other.

— So how could I be squeezing biceps - & holding down ARMS —

With L.T. Stibbs #12571 in my face yelling - & counting I turned - & walked back to the cell. When my back was turned L.T. Stibbs grabbed my arm - & he - & the two %'s walked me to segregation without incident. A REVIEW OF THE SURVEILLANCE VIDEO WILL PROVE EXACTLY WHAT I AM CLAIMING OCCURRED ... (See Video of G-house JAN-12-17 3-11 shift.)

I was then written a ticket longously - & when I got the ticket I discovered I was not only charged with assault but also intimidation of threat. However this was not the end of the assault of the assault against my personal liberty.

On or about Jan 16, 2017 I heard the fraudulent ticket for the assault - & intimidation of threat before L.T. Henton #10195 - & % E. Cooper. Both men were in uniform - & on duty. As L.T. Henton #10195 was in charge of the segregation unit. Which is a direct

Violation of 20 ILL ADMINISTRATIVE CODE 504.70(a) which states
 a.) The Chief Administrative officer (shall) Appoint the
 Adjustment Committee, which (shall) be composed of At
 least 2 members

1.) For Adults

(A.) A person Representing the counseling staff And;

(B.) At least one minority staff member

This mandatory rule/law clearly states (shall) be composed of at
 least 2 members - & one (shall) be representing the counseling staff
 (impartial party)... SHALL = HAS A duty to -OR- MORE broadly is
 Required to (BLACK'S LAW DICTIONARY). So there is no getting around
 or waiving the impartial persons presence when hearing major
 ticket infractions. When L.T. Henton #10195 - & % Cooper heard the
 Jan 12-2017 ticket for 102-S-206 on uniform - & actively on duty -
 they disregarded the Administrative Directives - which is a
 common everyday practice in Lawrence - As grievances go UNANSWERED
 - disappear - or end up in the hands of staff -

Forcing me to write directly to the Administrative Review
 Board on March 3-2017 asking that an impartial party outside
 of Lawrence review the grievance - & threats to my health/safety
 dated 1-24-17. As the grievance guide lines provide room for such
 action if the issue is not resolved by the Chief Administrative
 Officer (Warden Lamb)... Instead providing this impartial review
 or any form of relief Mr. David White of the A.R.B.
 rubber stamped the grievance inspite of it being marked
 emergency - & having a reply from the (C.A.O) Warden Lamb.
 Mr. White overlooked the clear violation to my liberty - &
 requested information that was already there (SEE EX C.
 Administrative Review Board Return of Grievance or Correspondence
 form) (SEE EX D. letter to Admin-Review Board.)

The reason the Administrative Codes were established - & upheld
 as law by I.D.O.C is not only to insure inmates received a fair
 hearing - & impartial investigation. But also to secure fundamental
 fairness as 20 ILL ADMIN-CODE 504.70(a) - & 20 ILL ADMIN-CODE
 CHI Sec 701.160 are there to insure prison officials CAN NOT
 take a prisoners liberty -OR- property arbitrarily - & that they
 must provide procedures that will prevent arbitrariness...
 When the Illinois legislative branch drafted the ADMIN-CODES (504-701)
 mandatory language such as (shall). They created a liberty interest
 that is protected under the U.S. Constitution.

with

These forementioned codes have created a liberty interest that
 limits the discretion of the officials - & when Warden Lamb

signed off on the final report (summary report SEE EX-E) of L. J. Henton #10195 - & % E. Cooper - sentencing me to serve three months punitive segregation - three months C-grade - three months commissary restriction - three months loss of good time - & six months of contact visit restriction. He solidified not only the deprivation of my liberty - but also failed to insure, or afford me the proper procedures - & due process mandated in the explicitly mandatory language found in the ~~the prison~~

20 ILL ADMIN-CODE 504.70 - & 20 ILL ADMIN CODE CH I Sec 701.160. These actions on the lack thereof have left me wrongfully reclassified as a "STAFF ASSULTER". As the aforementioned disciplinary ruling has affected my eligibility for goodtime - & other privileges - & has collateral consequences of grossly undue punishment - unnecessary verbal abuse as well as physical abuse in the form of retaliation that will be clarified in paragraph #2 of this claim - & the attached injunction...

With the mandatory rules - & language being ignored by Warden Lamb, L. J. Henton #10195 % E. Cooper - & David White (A.R.B.); the ticket hearing - & it's decision for or against me are illegitimate ^{and} can not stand. As the adjust committee was composed of two correctional officers, eliminating the required impartial counseling staff/impartial person, as the language (shall) guarantees. Therefore any - & all decisions regarding these charges must be expunged from my record. As 20 ILL ADMIN-CODE 504.80 Mandates the (impartial) adjustment committee hearing (shall) be convened but not concluded in 14 days. (14 days has long past - & the hearing wrongfully concluded.) Unlawfully as it was impartial with 2 % (s) hearing - & rendering it's final decision on the same day. A decision devoid of due process - & finalized by Warden Lamb on 1-17-17.

To add insult to injury L. J. Stibbitt #12571 came to the cell I was in Seg-B-L-3 on/about 1-21-17 on 3 to 11 shift - & said "You're going to rot back here Patterson" - & tossed my grievances regarding the 1-12-17 false staff assault - & threat torn in half into the crack of the door. Forcing me to mail the grievances dated 1-24-17 - & 1-25-17 (SEE EX-F - & G.) directly to my family. Who in turn mailed them to the A.R.B.... Who through a letter dated March 3-2017 I requested that the A.R.B review the emergency grievance impartially as there had been serious threats made to my health - & as the officials at Lawrence refuse to follow established

20 ILL ADMIN CODE 504... Mr. Dave White was the person who responded for the (A.R.B.) unfortunately he refused/failed to provide any form of remedy as was in his power to do so.

NOTE: Counselor Ray was removed from being the Segregation counselor for not responding to grievances - & allowing inmate grievances to end up in the hands of staff...

Also L.T. Stibben #12571 is often the (Shift Commander) so he operates with a cloak of immunity here in Lawrence.

Do to all of these actions or the lack there of I fear for my safety - & mental well being. As the officials here at Lawrence from Chief Administrative Officer Nicholas Lamb, (Shift Commander)

L.T. Stibben #12571 - % Buckles #5031 - L.T. Henton #10195 -

% E. Cooper - & several other L.T(s) - & %'s along with I.D.O.C

Director John Baldwin - & A.R.B member David White. Have all played a roll in directly violating my constitutional rights by subjecting me to cruel - & unusual punishment - opening - & confiscating clearly marked privileged mail - Deliberately refusing to remedy said problems after being made aware. - Violating my due process - & Retaliating against me for exercising my protected right to the court - & grievance process...

The due process violation did not stop there. As the adjustment committee hearing violated more than 20 ILL ADMIN CODE(S)

504.70 a.) - CH I. 701.160 H.) - which guarantees major ticket hearing violations (shall) be before at least one minority - & one impartial person - which may ~~include a public~~ include a public member..

They also violated 20 ILL ADMIN CODE(S) CH. I 504.60 - & 504.80 which occurred when hearing officer Gwens #6092 served me the disciplinary report on 1-13-17. Upon delivery I read it - & requested that he review the surveillance video - as it would prove I never touched - grabbed - nor assaulted shift commander L.T. Stibben #12571

That night (1-13-17) I prepared a grievance - & submitted it to counselor Ray. I also submitted a written statement to the investigation - & Adjustment committees. In those statements - & grievance I requested that the video from 1-12-17 for housing unit ~~for~~ 6-B on the 3 to 11 shift be preserved - & reviewed by the investigating officer to prove my innocence before the hearing committee. Because if the incident occurred the way L.T. Stibben #12571 said, then the video would clearly show me grabbing him by his biceps - & showing him backward - being followed by L.T. Stibben - & % Rye #6156 restraining me. - & bringing me to seg. Thus I requested the surveillance video to be my witness. It's an open - & shut case...

Hearing investigator Jivens #6092 directly failed/refused to do his mandatory duty as approved by (C.A.O.) Warden Lamb; under 20 ILL ADMIN-CODE CH. I SEC 504.60 which states...

SECTION 504.60 (d.) (e.) state

(d.) The hearing investigator may interview any person who may have information that relates to the alleged violation - & - may inspect any physical evidence (surveillance video)

(e.) The hearing investigator (shall) determine whether or not to submit a report to the Adjustment Committee, based upon the results of the investigation. However, if the investigation reveals evidence of a convincing nature that the offender did not commit the offense, the evidence must be reported to Committee.

∴ Must BE Reported TO THE Committee ∴

In the instant case based upon the severity of the offense hearing investigator Jivens #6092 had a clear/mandatory duty to investigate/inspect any physical evidence related to the alleged charges (surveillance video). That investigation would have revealed surveillance evidence of a convincing nature that I did not commit the assault against Lt. Stillborn #12571. The video can clearly prove I'm innocent - & - as hearing investigator Jivens #6092 had a duty to report the video evidence to the adjustment committee as the language requires in 504.60 (e.) "THE EVIDENCE (MUST) BE Reported to the Committee"...

The refusal to follow written procedures continued as hearing investigator Jivens #6092 never mentions in his report ever reviewing said video from (6-13 ON 1-12-17 - 3 to 11 shift). Even after the written request. This refusal of duty violated my due process as Jivens refused/failed to conduct an investigation - & - submit the evidence to prove my innocence before he submitted the disciplinary report to the adjustment committee... Compromising the due process - & - retaliation I've suffered at the hands of the officials here at Lawrence - & - causing me to do 120 days unlawfully in punitive segregation - & - to be classified as a staff assault...

To further the constitutional deprivations against me, the adjustment committee who I went before on 1-16-17 found me guilty on the very same day they heard the ticket, without viewing the surveillance video in spite of my written request on 1-13-17... On 1-16-17 the impartial adjustment committee Lt. Henton #10195 - & % E. Cooper two uniform officers violating 20 ILL ADMIN CODE 504.70 Sec 701.160 ~~based on~~ found me guilty of all charges. Basing their decision solely off of the fraudulent ticket written by (shift commander) L. T. Stillborn #12571 (see EX H. Final Summary)

At no point did these impartial officers consider my submitted written statement - & request that they view the surveillance tape. This is made clear in their final summary report as they state three times "BASED ON O.D.R. L.T. Stibbe Reported that..." - "The Partial O.D.R. Report - Not - The impartial surveillance video" -

It is clear that the adjustment committee in Lawrence has repeatedly disregarded the mandatory rules set forth in 20 ILL. ADMIN-CODE CH I. Sec 504.80. These mandatory laws set in ^{motion} a course of action that concludes the guilt or innocence of an inmate by requiring that the adjustment committee comes to a fair - & impartial conclusion before taking ones liberty.

When the two uniformed officers (one being A S G. L.T.) acted on the adjustment committee - & refused to view evidence of my innocence; they not only violated my right to liberty but also 504.80 (c) which states...

(c.) The offender (shall) be informed before OR AT the hearing of information that would tend to show that the offender was not guilty... (surveillance video.)

In spite of me following the rules - & informing the investigator - & adjustment committee in writing - & verbally in advance of the ticket hearing, that the surveillance video of 6-House B wing 3-11 shift on 1-12-17 would prove my innocence they never viewed the evidence - & - ~~was~~ based their decision of off on superiors reports. Further violating my procedural due process under 504.60 (g.) stating...

(g.) The committee (shall) consider All material presented that is Relevant to the issue of whether, or not the offender committed the offense...

From the clear facts it is clear the adjustment committee lacks impartiality, as they refused to consider my request and view the exonerating evidence violating 504.80 (1.) - & (2.) which state...

(1-5-2) If exonerating evidence is presented - & - disregarded the committee must state the basis for disregarding the evidence...

In the adjustment committee 1-16-17 final report (EX H.) they never mentioned why they disregarded my written statement or verbal request to view the surveillance video. This is because segregation L.T. Henton #10195 - & % E. Cooper lack the impartiality that 20 ILL ADMIN-CODE 504.80(d.) was designed to provide. As these two uniformed officers are direct subordinates of "shift commander" L.T. Stibbe #12571, thereby it would be frowned upon for them to throw out an assault ticket against their superior officer fraudulent or not. These officers knew the charges were made up. ~~that is why they did not~~ But had to give

me some punishment. It is an unwritten policy/culture in Lawrence to not only go by their own rules but I.D.O.C.'s but to punish inmates who exercise their rights to the courts.

This is why the safe guards in 504.70(a) are the prerequisite for any adjustment hearing as the mandatory language (shall) requires one of the hearing members to be a non-officer, but counseling staff or impartial person. To avoid inmates from losing property or their liberty arbitrarily; as the two hearing officers subjected plaintiff to such loss when refused/failed to use the surveillance video to prove his innocence violating 504.80 (J).

(J) The adjustment committee (shall) decide whether or not the offender is guilty based upon RELEVANT info/evidence

* IS THERE ANYTHING MORE RELEVANT (IMPARTIAL) THAN SURVEILLANCE VIDEO *

When (C.A.O) Warden Lamb rubber stamped the adjustment committee decision. Despite the lack of evidence substantiate the 102-206, then to just push the grievance on these issue away (SEE EX F-5-G.) he disregarded my right to an impartial hearing in ~~app~~ approval of the unwritten policy & culture established in Lawrence. Which violates the legislative law of the I.D.O.C. That Safeguards & insures that inmates receive a fair investigation & ticket hearing before being deprived of their property or liberty. PER ADMIN CODE CH.I 504 & U.S. Constitution.

In closing the plaintiff ask the court to see that Warden Lamb & director J. Baldwin have allowed the actions against him to snowball. As I've written both directly (the director was sent Affidavit) explaining to them the violations & retaliation he's dealt with since his arrival on 11-4-16. Due to me exercising my right to the court - legal mail - Judges calls - Attorney calls & grievance process. I have also sent Warden Lamb several emergency grievances asking for relief, but as of date he merely rubber stamped them. Out of fear for my safety I had my family mail these grievances (SEE EX F-5-G.) directly to Warden Lamb, the A.R.B. (Mr. David Smith) - the Northern District Federal Court & an Affidavit with grievance to director J. Baldwin (SEE EX F-5-G.)

It has been Director Baldwin's - David Smith (A.R.B) & Warden Lamb's failure/refusal to ensure that inmates such as myself. Who exercise their right to the courts while in I.D.O.C/Lawrence are not repeatedly faced with retaliation. (like being left in hand cuffs for hours...) & it has been their failings/refusal to ensure all investigations against me were impartial per 504.90(a) (2.) that has directly allowed the unwritten policy of punishing or braking inmates who exercise their rights to flourish.

All of the aforementioned statutes - rules - & codes in this claim have specific language such as (shall) which has created a liberty interest that limits the discretion of the officials - & when Warden Lamb signed off on the final Summary Report on 1-17-17 he ignored the mandatory language - & rules. With these codes being disregarded the investigation (or lack thereof), the hearing - & it's final decisions are illegitimate - & can not stand. As the entire process violated my right to due process - & 20 Ill ADMIN CODE 504 as it was done without impartiality.

Violating my Eighth Amendment right to live free of cruel - & unusual punishment free of retaliation - to have free access to the courts. As the defendants here have (opened/kept - confiscated legal mail clearly marked privileged - hindered law library access - harassed me after legal calls - written fraudulent tickets after legal calls - sentenced me to 120 days (total) punitive segregation - 6 mon visiting restrictions - & reclassified me as a "staff assaulter". Which has set forth an entire land slide of gross undue punishment - & retaliation.

2.) The following paragraph(s) will show how plaintiff was subjected to retaliation (due to him exercising his right to the court/grievance process - & being wrongfully reclassified as "staff assaulter". - Cruel - & Unusual Punishment (physical violence - threat of sexual violence - racial harassment - terror of instant - & unexpected death - mental anguish - gratuitous fear - & false charges/direct punishment...)

: SEE ATTACHED INJUNCTION FOR GREATER DETAIL :

As set forth in paragraph one in this claim when I arrived in Lawrence from Stateville on 11-16-16 (transferred do to good behavior - & being Gang Free - & Weapon/Drug Violation Free). I was in the middle of both my criminal appeal - & a civil issue. So legal transcripts - books - & documents made up most of my property. Soon after arrival in Lawrence I started receiving legal mail - & judges/attorney calls regarding these matters. The harassment - & retaliation began soon there after. As the defendants % D. Johnson #7275 - % Buckles #5031 - Lt. L. McCarthy - Lt. A. Stubby #12571 - Lt. M. McCarthy - % Summers - % Hoodrum - Lt. Henton #10195 % E. Cooper - % Owens #6092; have directly commented on the fact of me receiving legal calls - legal mail - being involved in the legal process - having property consisting mainly of legal work or directly hindered access to the courts out of retaliation - & or sentenced me to punitive segregation - wrote fraudulent tickets - or directly overlooked their subordinates actions due to me exercising my right to the court. While pointing me

out to their co-workers to inform them. He made you - inmates
 A FREE VACATION". At no point did the overseeing officials
 Lieutenants or Wardens M. Lamb - Administrative Review Board
 (A.R.B.) D. White or I.D.O.C. Director Baldwin; step in to stop
 or prevent the following actions. The only % to attempt to defuse
 any of this was % Z (to be i.d. later)

On or about 11-7/11-8 2016 myself & several inmates mostly
 hispanic returned from clothing. When we returned to wing (1-C.)
 % D. Johnson started yelling & speaking foul to us for no reason.
 He even used racial slurs calling the young men "Banditos". The
 situation became so heated I had to tell the young men, who I
 knew from Stateville to ignore % D. Johnson #7275. Then he started
 cursing & yelling at me directly & I had to inform % Johnson that
 I'm not a child. If there's a problem let me know what it is I'll
 correct it. Over the next week % D. Johnson directly cursed & yelled
 at me for no ~~reason~~ violation of the rules. This problem became
 so intense that on Nov-10-16, I had to speak to the (1-C) house
 L.T. L. McCarthy about the berating racial remarks of % D. Johnson.
 Lt L. McCarthy did nothing.

On Nov-12-2016 I went & received my property that came from
 the last institution. Once % D. Johnson seen that it was mostly legal
 work & books, he became even more hostile toward me & the remarks
 name calling of "Judge Judy" - "He'll sue you" soon began. On or about
 Nov 14-2016 while at nurse sick call officer D. Johnson #7275
 stood in the door way of the glass front office watching me & the
 nurse. When I asked to speak to the nurse in private per H.I.P.P.A.
 (Medical Privacy Act) % D. Johnson became so irrate that when I left
 the nurse, he stopped me in front of the door leading back to (1-C)
 unit & yelled "What did you say you'll do to me - do it now!". He refused
 to open the door to let me in & as he yelled officer Z (to be i.d.
 later) came over & told % D. Johnson he had this.

Five minutes after being let into the cell by % Z "peacefully"
 % D. Johnson came to the cell I was held in (1-C-upper 15) & asked
 "what's it going to be". I inform wrote the grievance dated 11-14-16
 (SEE EX J.). However as of date due to an unwritten policy or
 culture in Lawrence, this grievance & two others on % D. Johnson
 threatening me & calling me racial slurs has disappeared & remain
 unanswered on the grievance officer level for one & counselors
 level for two. Directly hindering my access to the court - as
 inmates are barred from seeking any relief if they have
 not exhausted their administrative remedies. However in
 Lawrence these remedies are far to often not available
 or blocked purposely by indifferent staff.

In late Nov - my legal mail started being handed to me, opened - & read in spite of it clearly being marked (Privileged Mail). This is against 20 I/I ADMIN CODE CH. I 701.180 Mail Procedure (f.) stating: Privileged Mail shall be opened in the presence of the detainee... Several grievances were written on this issue, as well only these were not returned by the 6-house Counselor - As the culture of Lawrence is not to return inmate grievances in an effort to discourage grievance writing.

In Dec 2016 I received several judges - & attorney calls. Everytime I exited these calls the % (s) in the control booth would refuse to let me back in the unit unless I told him who I spoke to...

In the first week of January 2017 I received an attorney call followed by a judges call the next day. That night on 3/11 shift C/o Buckles #5031 came to my door again with opened privileged mail from my attorney. When I asked him why he opened my mail C/o Buckles #5031 stated "WE GONE MAKE SURE YOU DON'T SUE NOBODY HERE"... We exchanged words and he moved on. Later that night when they ran chow C/o Buckles - & the L.T. stood in front of the cell I was in 6-B-Lower 10 while running chow. C/o Buckles #5031 opened the door wide open - & asked if I still had an issue. This is unusual because the L.T. - & % (s) stand at the back of the wing not in the middle, where 6-B-Lower 10 is located. (A look at the surveillance video will prove this...) I said nothing to C/o Buckles - & did not go to chow to avoid a situation.

Approximately 3-4 days later I received a ticket dated 1-10-17. For a 307: UNAUTHORIZED movement: Stating I ^{WAS} ~~was~~ in the dayroom during upper decks day-room (written in way to show I broke out the cell)... This ticket was written by C/o Buckles #5031 in an effort to bring disciplinary actions against me since he could not provoke a physical reaction from me. If it were not for my receipt having the time on it proving I was in the commissary at the time C/o Buckles said I "broke" out the cell - worse case scenario I could have been charged with an escape...

Once it was clear I would be cleared of this ticket. As I showed the major my receipt (see Ex. A receipt) over the next two days when ever the L.T. - & % (s) ran chow they would come - & stand in front of my cell - open the door all the way - but say nothing.

On Jan-12-2017 C/o Summer - or - Summers - came to my cell with legal mail from the Fourth District Appellate Court. As I signed the receipt (to prove Reception of mail) C/o Summer went through

the envelope from the Appellate Court taking part of the transcripts enclosed - & a self addressed envelope. When I asked him what he was doing he said I could not have the envelope. (- & by default the documents) I tried to point out to him that the Appellate Court gave me strict directions to sign the documents he kept - & return them ~~back~~ back to them at once. I literally let him read the paragraph. (SEE EX B.) Yet, He still took the transcripts. Do to this requested to see the L.T....

About 15-20 minutes later L.T. Stibbri #12571 came to run chow - & I came out of the cell to speak to him. He told me he had work to do; sign the book - & to wait. When I tried to follow him the 2 C/O's stopped me. When Lt. Stibbri #12571 came from the back I tried to show him the letter from the Appellate Court. He in turn started shouting "I ALREADY KNOW WHAT YOU WANT - & YOU CAN'T HAVE IT"... I inturn underlined the sentence of the Appellate Court (SEE EX B. Letter From Appellate Court.) - & with paper in one hand, pen in the other tried to show Lt. Stibbri #12571 that I NEEDED the documents NOT the ENVELOPE. He inturn started yelling as loud as he could - & waving his arms in the air - & counting. WHEN I DID NOT MOVE HE STEPPED FORWARD - & RAN INTO ME. NOTE: I WAS HOLDING ON TO MY PEN IN ONE HAND - & the letter from the Appellate Court in the other. - SO HOW COULD I BE SQUEEZING BICEPS - & HOLDING ARMS -

With Lt. Stibbri #12571 in my face yelling - & counting I turned - & walked back to the cell. When my back was turned Lt. Stibbri #12571 grabbed my arm - & he - & two C/O's cuffed me up - & walked me to segregation, with out incident. A REVIEW OF THE SURVEILLANCE VIDEO WILL PROVE EXACTLY WHAT I'M SAYING...

When I got the ticket that's when I discovered I not only had a fraudulent intimidation of threat but a staff assault as well. However this was not the end of the attacks against my personal liberty. Due to the fraudulent charges of 102: ASSAULTING ANY PERSON - & 206: Intimidation of threats, I was ~~not~~ given a fair adjustment hearing on 1-16-17 as required by law 20 ILL Administrative Code 504 - & 20 ILL ADMIN CODE CH. I section 701.160(H). Which included mandatory laws are in place to insure prison officials can not take prisoners liberty or property arbitrarily. However on 1-16-17 the adjustment committee hearing

officers were segregation L.T. Henton #10195 - & % E. Cooper two uniform % (s). Directly violating the forementioned statutes 20 ILL ADMIN CODE 504.70 (a) (AS claimed in paragraph one of this claim...) - purposely as it is the practice of Lawrence to have two officers hearing major tickets (not to investigate tickets - etc.) A short mandamus review of major tickets heard in Lawrence ~~inmate~~ over the last year July 2016 - July 2017 will prove with material fact Lawrence officials choose to directly disregard the entire Administrative Code regarding ticket hearings/investigation as Warden Lamb continues to rubber stamp these actions. Actions that allowed to impartial uniformed officers to HEAR A FRAUDULENT TICKET WRITTEN AGAINST ME BY THEIR SUPERIOR OFFICER. (Shift Commander Lt. Stibbner #12571.) ^{WHO} Rendered an impartial decision against me, in favor of their superior officer. Arbitrarily sentenced me to 4 months of segregation - loss of visiting privileges - loss of good time - & reclassification as staff assaulter. If these two hearing officers - seg L.T. Henton #10195 % E. Cooper - & ticket investigation officer #Iwens #6092 would have done their job as directed by law. (see paragraph one to learn complete duty - & mandatory language) They would have reviewed the surveillance video / spoken to witnesses - & discovered that their superior officer was NOT assaulted by me as alleged - & that this ticket was written falsely because I had not only proven % Buckles #5031 ticket was fraudulent (SEE ~~EX~~ K. Ticket Expunged) but was also known to be engaged in exercising my right to the courts - & the grievance process against prison officials. As % Buckles #5031 stated... "We gone MAKE SURE you don't sue nobody here".

NOTE:

THE PLAINTIFF would like the COURT to see that the defendants ACTIONS AGAINST him have OCCURRED either AFTER A legal call - OR - the reception of legal mail...

On Jan-21-17 on the 3-11 shift Shift Commander L.T. Stibbner came to the seg cell where I was held (seg-B-lower-3) - & let me know "YOUR going to ROT back here PATTERSON" before tossing the grievance I wrote on the "FAKE" staff assault through the crack of the door. Forcing me to mail these grievances "cries for justice" via family to the I.D.O.C Director - Baldwin - & the A.R.B (MR D. White). Who ignored the grievances without a

Reply - or - Rubber stamped them (EX - 1 - 5 - 6) grievances dated 1-25-17 - 1-24-17) The impartial adjustment committee's disciplinary ruling was based "only" on (shift commander) L.T. Stibbert #12571 report not the impartial surveillance video (see EX H. Adjustment Committee Final Summary Report dated 1-16-17). Thus these rulings have not only effected my eligibility for good time but has had collateral consequences of retaliation inflicting gross undue punishment - & - unnecessary verbal abuse at the hands of the defendants due to being falsely labeled a "staff assulter". As the following issues occurred after - or - due to false "Reclassification", while held in segregation for the charge.

1.) On Feb 20, 2017 at approximately 7:30 am Sgt. Castburn came to the cell I was in (seg B - lower - 3) woke me up - & - told me, "PATTERSON your getting a celly" I asked him who - & - he said lower seven cell. Not carrying I went back to sleep. About an hour later Sgt Castburn came back - & - told me I was now getting inmate Williams as a celly. He then went - & - informed inmate Williams that he was being moved.

2.) When this happened the gallery started yelling - & - informing me that inmate Williams was the inmate who had been yelling - & - kicking the door for the last two days. (All night without stopping - the noise was maddening...) This inmate has an extensive history of mental illness - & - claps while he talks - & - as recently as two weeks ago (late Jan - Early Feb) had to be rushed to an outside hospital due to a suicide attempt. This same inmate has a long history of assaulting staff by throwing human feces ~~there~~ into their faces. (Documented Fact)

This same inmate who has a long list of suicide attempts is also known for smearing fecal matter all over his body - & - face. (Documented Facts)

3.) Yet on Feb 20, 2017 out of the blue SGT. Castburn #10828 decided to take this inmate who is listed as clinically insane - & - move him out of the cell he was in ALONE where he was no threat to anyone - & - move him into the cell with me. At the time SGT. Castburn #10828 tried to move Williams into the cell with me, there were 2 empty cells on the gallery - & - a vast number of inmates wanting to receive cell mates.

The question REMAINS why would the officials here AT LAWRENCE SGT. Castburn #10825, move A feces throwing madman out of A perfectly good cell, where he was no threat to anyone into A cell with Another person...

4.) The only logical explanation is to create a situation where the petitioner will be forced to harm-or-get harmed by the mentally insane inmate. There is no way of telling to what extreme one would have to defend himself against one who is clinically (KNOWN) -s- willing to kill himself.... Thus I refused to except the feces throwing - door kicking - all night hollering - fecal smearing - suicidal inmate into the cell with me. ~~As a result of this incident I was taken to the infirmary~~

5.) After a call with Honorable Judge Roland (U.S. Dist. Court Northern District) I was left chained to a stool - where I made the call from for hours. While the shackles around my ankles cut off all circulation to my feet. For approximately 3 hours I was ignored by the C/O(s) -s- left to suffer as my limbs went numb...

6.) On Feb 18, 2017 after receiving a visit from my mother I was brought back to the cell -s- left in a waist chain (hands cuffed to my side with chain AROUND wrist) for approximately 40-50 min in the cell for no reason at all.

7.) On Feb 8, 2017 after my legal call with Honorable Judge Rowland (U.S. Dist Court - Northern Dist) I was asked repeatedly by the officers standing right outside the door listening - "Why did I get a Judge involved" - when I told them because they left me chained to the stool for hours last time they all laughed. (This is just Amusement to the C/O(s) in LAWRENCE).

For the C/O(s) in Segregation on Feb 8, 2017 amusement the handcuffs were slammed on my wrist so tight after the legal call. It seemed as if they cut into my wrist bone. When I complained of the pain I was lead back to the cell ~~and left~~ AND LEFT cuffed hands behind my back in the cell for what seemed like an eternity -s- as my wrist/hands went numb the officers purposely went to get inmates from the yard. Which is against protocol - As inmates ARE NOT to remain in handcuffs once placed back into their cell. - I was left in these extremely tight cuffs for at least an hour.

8.) Around or about Jan-13-2017 after the C/O(s) on the 11-7 shift read the fraudulent charges (STAFF ASSAULT - intimidation of threat of - Sh. Ft Commander L.T. STABER #12571) attached to the cell door. That night I noticed the main "COARSE" in the breakfast tray had spit on top of it, and almost every tray that has followed on the breakfast shift

has been this way. I know this is spit because of the white bubbles - & - because the trays for lunch - & - dinner that are handed out by an inmate worker lack this mysterious - white - bubbly slime.

NOTE: PANCAKES DON'T HAVE BUBBLES OR SLIME...

9.) I wrote a grievance on this nasty issue - but as it is/was known Counselor Ray tossed inmate grievances, At this time - & - was removed from being the segregation counselor so to complaints about his actions. Therefore another one of my grievances has been prevented from being exhausted. As Counselor Ray's actions have placed a hurdle before the grievance process, - & - as a result of hearing nothing on this issue. (my breakfast being spat in.) I gave up eating breakfast for the remainder of my stay in segregation.

10.) Once again on 2-20-17 I was written a fraudulent ticket - & - sentenced to an extra 30 days segregation. The charge was for :403: disobeying a direct order. Where S&T. Casburn #10828 said I refused to move cells - & - that I refused three direct orders to do so. S&T. Casburn then went on to say that I stated "I'm A MAX SEG - TO SEG TRANSFER - & - WILL NOT HAVE A Cellie".

This entire ticket was falsely written do to the original charges of staff assault (note the hearing for this ticket also violated 20 ILL ADMIN CODE 504 - AS is the practice in Lawrence...) - & - as each officer takes a swing at me they don't care if they lie or break ADMINISTRATIVE CODES/LAW. Because it is the culture in Lawrence to punish or break inmates who dare to exercise their right to the court - & - grievance process. S&T. Casburn's attempt was no different, however he made a key mistake. He lied. In an attempt to trump up the charges. However this lie is easy to discredit. Because contrary to Casburn claiming I was a "seg to seg transfer". **THIS WAS NOT THE CASE** I WAS TRANSFERRED FROM STATVILLE DO TO GOOD BEHAVIOR (AS I'VE REMAINED GANG-DRUG/ALCOHOL/WEAPONS VIOLATION FREE...) AND WAS NOT IN SEGREGATION.

However the question remains why would S&T. Casburn try to place ~~me~~ a known mentally ill inmate in the cell with me? ... Retaliation....

All of the forementioned actions against me happened while I was in segregation for the fake staff assault - & - the

to my actions in the court. As the judges calls -s- attorney calls with legal mail following continued while I was in Seg. The %/s) actions became so aggressive -s- the fear -s- anguish so heavy I filed an injunction to (Judge Alonzo See EX L. PATTERSON V. WEXFORD HEALTH CASE 13C1501). However Judge Alonzo told me while I could not attach this injunction to the current claim - I could file the injunction in the proper jurisdiction. While waiting on my grievances on these actions to be returned, so I could exhaust all available administrative remedies the actions of the defendants grew bolder -s- the terror of instant unexpected death became so surreal I was forced to seek Protective Custody on 7-20-17. As I was threatened to be hung by my genitals in the shower -s- have previous grievances showed "up my ass" by C/O D. Johnson. Who told me he was going to kill me on the breakfast shift -s- pushed me. Do to the threats of death -s- sexual violence I called Springfield's Anti-Sexual Violence line twice.

After this call I sought the % -s- requested Protective Custody. However to cover up the repeated retaliation -s- most recent threats of death -s- sexual violence - the officials here at Lawrence once again produced fraudulent tickets -s- After speaking to Internal Affairs Lt. Ochs (who was supposed to investigate the call to Springfield by 911) The adjustment committee gave me a choice on 7-27-17 to either drop my request for Protective custody or to proceed not only with the fraudulent tickets written by C/O D. Johnson for :206: INTIMIDATION & THREAT -s- :304: INSULTS -s- :215: DISOBEYING A DIRECT ORDER But be charged by the State criminal in Lawrence County. The Adjustment Committee on 7-26-17 was comprised of Major T. Stuck -s- C/O F. Cooper (once again violating the law of 20 ILL ADMIN-CODES 504 -s- CH. 2 Section 701.160(H)...)) which is common practiced in Lawrence. The facts of this issue will be further discussed in this claim. The following acts of retaliation occurred after I left Seg on 4-27-17 -s- Placed into the same cell house Man by shift commander Lt. Etibari -s- the unit where C/O D. Johnson -s- son was the S dx officer. (SEE EX M-N. For fraudulent tickets)

On or about 5/10/17 I was housed in 8-C upper 12. While standing by for chow a person came to the cell door where I was sitting -s- called my last name. When I stood up there was a person standing so close to the door I could

SEE
EX
M.
-s-
N.

not recognize them. But I could tell it was officer by the hat and white shirt

When I asked what was up he stated "You know what they kept your Black Ass or of MANARD - But they won't keep me off you"... As I stood there in shock Lt. Stithen #12571 stepped back from the door - I went - I stood by the wall as the bubble burred the door for chow. For weeks I was so fearful I remained in the cell, trying to avoid being hurt or harassed. Unduly. As shift commander Lt. Stithen has continued to directly harass - I retaliate against me; after confiscating my legal mail from the Appellate Court - I after writing fraudulent staff addit ticket on Jan 12, 2017.

All of these actions began - I are directly linked to me exercising my right to the courts - I grievance process (SEE EX 0 - GRIEVANCE 51017 - As of date not returned in MANARD CAMP.)

On or about 6-25-17 while in the dining hall for lunch on the 7-3 shift, I was once again threatened - I harassed again by C/O D. Johnson. Who on a daily basis THUR-MON yells racial slurs at me - stands behind me at chow jingling his keys saying (when he's done jingling - I'm done eating). He continues to threaten - to take off his badge - I "kick your ass". I've written four grievances on C/O Johnson between April - 27-17 to June 25-17. Three have magically vanished as there was no appointed counselor for 8 weeks during these days.

On 6-25-17 C/O D. Johnson kept yelling my name Brown across the chow hall for no reason. When it was time to leave he yelled at each line to leave, when he got to the row I was sitting in. He yelled I got up - I left. Half way out the door C/O Johnson started yelling "PATTERSON - I know you". When I stopped he yelled - I pointed. "I know it's not yours - I got it". - It was a glass of water.

The question is if Johnson knew the glass wasn't mine because he was watching me at chow. What he did to me up...

This is not the first time I've been in - last time he called me back to take us from a table I didn't sit at. When I told Lt. Charles of C/O Johnson's actions - I was so injured and I wanted his actions to be a part of a mind game. By an unseen standard was I placed in the very same cell house upon release from segregation controlled by Lt. Stithen #12571, whom I was

charged with "Assaulting" (The officer and Lawrence know this Assault charge was fraudulent - so to avoid getting a suspension involved - they failed/refused to interview me to the other facility. As is required for an inmate assault charge - so STAFF did write to report other issues of retaliation.)

Also it was no fluke that I was placed in the unit (8-C) run by % D. Johnson whom I've been forced to write grievances on do to ongoing threats & racial slurs. Being placed in the exact area controlled by the shift commander Stithon #12571 purposely had led to.

On or about 7-11-17 while returning from lunch, there was an inmate that I knew who was cuffed & surrounded by 3 officers - L.T. M. McCarthy. (Without showing) I asked said inmate if he was ok. He told he was going to seg. While I was walking % Goodrum started cursing - yelling & gesturing toward me like he was throwing up gang signs. It was not until % Goodrum came into the unit (8-C) to look the same that I learned of his threat. As % Goodrum literally walked up to me & I looked from my face said "I know who the fuck you are Patterson - what you did to the L.T. & I don't give a fuck who you write, or how many grievances you write. You botched up mine & were going to get you"... & then %

I've never had a conversation with this % before.

% Goodrum was pulled away by another officer as he seemed to run in my face. It is obvious my grievances are not doing the job of getting the shift - L.T. to stop retaliating against me. Instead of answering the 5 emergency grievances it seems Warden Lamb would rather pass on the information of the complaint to the officers who continue to retaliate against me unjustly. The complaint filed back to Nov-2016, was written on % D. Johnson.

All of the aforementioned actions can be verified by viewing the surveillance video of the 8-hour facility on 7-11-17 (7-3 Shift)

When we came out for lunch, I went to speak to the L.T. about % Goodrum's threat. But L.T. Mr. McCarthy flipped it & said "We get rid of trouble makers. Patterson was an asshole. You have how many grievances against everybody - that's another thing"... He went on to tell me I was out of control of my office or go to seg. However the retaliation did not stop here.

the National Union - & I was in immediate danger threats of sexual violence - & actual physical violence against me came to a boiling point on July 20-2017

While walking to Chow on 7-3 shift (lunch) I was in the middle of the line, when it stopped. As % Barry who was working the walk stopped the line, at the yellow line printed on the ~~sidewalk~~ sidewalk. Out of nowhere % D. Johnson who works (8-C-unit) where I'm held came up to me, ~~and~~ cursing - & requesting my i.d. I gave it to him - & asked what was going on because I was expecting a visit. He inturm cursed me loud - & told me "TAKE YOUR ASS BACK TO THE UNIT", for holding up the line... But this was just a ploy - because % D. Johnson was behind the line - & I was in the part of the line % Barry had stopped, to wait for the rest of the line which was dragging behind. Plus at no point did % Barry say catch up - move up or anything to me - that he normally says to slackers

When I asked % D. Johnson why he said go back - & why he was cursing he said "BECAUSE I FCKING CAN - & BECAUSE I FCKING SAID SO..." He went on to say go back or cuff up. So out of great fear of being cuffed by % Johnson, I started back to the unit after requesting a L.T. - & % Barry saying "just go back - I'll send A L.T.""

% D. Johnson continued cursing - & told me he'll get the fucking gate for me. However once we got away from the crowd % Johnson went off the rails - & started saying "you think you can just write me up - & nothing will happen - I know you put YOUR NAME ON DUFFEN'S GRIEVANCES - & I FCKING THREW OUT ALL YOUR OTHER ONES. BEFORE THEM CAMERAS GET OVER HERE I'M GOING TO STRING YOUR BLACK ASS UP BY THE BALLS - & STICK THEM GRIEVANCES UP YOUR ASS"... At once I was terrified for my life - because % Johnson has not only threatened me before but because I had personally seen him (% Johnson) handcuffed & headbutt inmate Duffen on Monday 7-17-17. Then curse Duffen before sending him back to the unit, because Duffen committed no infraction.

From these previous actions - & % D. Johnson's threats on my life regarding or do to my actions in the courts - & grievance writing against prison officials - & the issue of staff assault with Lt. Stibbri; I fear for my life because these incidents have gone without being investigated by Internal Affairs - Head Warden Lamb or - the L.T.(s) I have informed about the problem verbally - letters - or - emergency grievance.

About 10:30 A.M (7-20-17) my cell mate inmate Davis came back from school - & when % Johnson opened the door he ~~started~~ started cursing me again calling me a pussy - & asked me "What do you want to do PATTERSON"... When I told him to stop talking to me before I write him up. He went on to say "I'll be working over time in the next few days - & your ASS will be found stuffed full of grievances

-3- CANGING IN THE SHOWER... "You'll see PATTERSON I WIN - I ALWAYS WIN..."

However the threats of violence did not end here, as % D. Johnson actually physically assaulted me after my visit on 7-20-17 (the issues on the ~~visit~~ visit will be addressed later in this claim -3- in the attached injunction). After the visit on 7-20-17 I requested to speak to a major regarding my safety. When I told % Edwards this in the visiting shake down, he refused to call a major, but did get L.T. L. McCarthy - Hy. Who I asked to speak to alone.

Once alone I told L.T. L. McCarthy (All) the threats of violence -3- ill actions made against me by % D. Johnson -3- I asked him to help me. He inturn told me % Johnson was all right - but firm. When I asked him to help because the grievances the grievances were not doing any good. He stated "GRIEVANCES - you still trying to sue people PATTERSON - hell I should help him tie the knot". Meaning he would help % Johnson hang me. (note: L.T. McCarthy is the L.T. I reported Johnson to in my)

When I returned from my visit % Johnson was waiting for me like a mad dog on a chain (see 8-house camera door entry 7-20-17) -3- at once I knew L.T. L. McCarthy had told % Johnson my complaint. Because as I tried to get back on the wing (8-C) % Johnson stated "I told you I Always win PATTERSON - how was your noncontact visit you piece of shit". - I know L.T. L. McCarthy had to call a head -3- reveal my complaint on % D. Johnson - because Johnson knew I had an issue on the visit - which is in the front of the prison. While Johnson works in the back of the prison in B-unit.

When I refused to answer % Johnsons remarks - he turned red -3- as he opened the door to the unit he stated "You'll see how I win - I'll be working breakfast one of these nights -3- I'm going to make you my little bitch". While I was walking up the stairs % Johnson who was directly behind me pushed me -3- started making kissing noises. I was so afraid I almost ran to the cell -3- when % D. Johnson opened the door to cell 8-C-upper-12 he started cursing me again -3- started asking "how was my non contact visit" I ignored him but before he left Johnson added "We'll see tonight - you little bitch". Meaning he was going to make good on his threats.

Out of fear for my life -3- because as of date none of the grievances I filed about the actions of these rogue racist officers have been answered or have been rubber stamped by Warden Lumb. I have been forced to seek Protective Custody (see grievance dated 7-20-17 - ~~EX-1~~) As % D. Johnson - % Goodrum - % Buckles - % Summer % E. Cooper - L.T. L. McCarthy - L.T. HENTON - L.T. M. McCarthy -3- L.T. A. Stibbor, have all directly played a role in harassing me after judge's calls/attorney calls - illegally opened/read my privileged mail - confiscated privileged legal mail - written fraudulent tickets

thrown into punitive segregation - denied me proper adjustment committee hearings - tossed grievances - threaten to hang my "black ass" - sodomize me with grievances - hang me by my balls - beat me - kill me - & if I did not drop the pursuit of Protective Custody (thereby the investigation why I was seeking P.C.) - charged ~~me~~ ^{me} criminally by the Lawrence County prosecutor for assault. As the staff has previously written false tickets for assault against me out of retaliation.

Retaliation due to me being reclassified a staff assaulter by an impartial adjustment committee (see paragraph 2 of this claim) who refused to view surveillance video that would prove my innocence - & show that officers did in fact confiscate privileged mail from the Appellate Court ~~prisoner~~ - & harass me after legal calls unduly for months. This reclassification led to the following.

On July 20-17 my family came to visit me. Expecting to have a normal contact visit with me. As counselor Struheart had ensured my mother all of the restrictions (non-contact) were removed by Warden Lamb. On 7-3-17 I had just enjoyed a (contact-visit) with my family due to any/all restrictions being removed by Warden Lamb.

However when my family arrived on 7-20-17 they were met with fierce hostile behavior from the Sgt in charge of the visiting room on 7-20-17 (7-3 shift). Who told them that only one person could see me at a time - & the visit would be non contact. When my family explained to them the restriction had been removed by the Head Warden - & they had just visited me (contact visit) two weeks prior. They were met with further hostile behavior from the Sgt - & officers working the visiting center. They were told they could not speak to the warden - because the Sgt was in charge - & the only one that mattered. They were told to either leave or one person could come in.

When I arrived in the visiting center (moments after dealing with % D. Johnson) I was met by L.T.L. McCarthy three %s - & the Sgt. (bald w/ a 50yr). Who with a show of force let me know before I could even take two steps in the building - that due to my classification as "STAFF ASSAULTER" they will not allow me to have a contact visit. When I told L.T.L. McCarthy the restrictions (6man) was cut short by the Head Warden. The Sgt. told me he was not there - & since I put my hands on staff "I'll never receive ANY privileges in Lawrence". They let me know I could either (1) go to seg - or - (2) go see my family. I picked door # 2.

On 7-21-17 my family called - & spoke to counselor Starrett who double checked the computer - & found no reason why I should not have been given a contact visit. As I had such visit weeks earlier - & All restrictions were removed by Chief Administrative Officer Lamb. (See GRIEVANCE dated 7-23-17 EX 2.)

The forementioned officials - & officers in this complaint - & in the visiting room on 7-20-17, have perpetuated the pattern set by the culture in Lawrence. Which is to punish inmates who exercise their right to the court - & grievance process by any - & all means. Even if this means breaking - & disregarding the law drafted by legislators to guide F.D.C.C. officials in the form of Administrative Codes. The defendants actions of retaliation have become so severe that I fear for my life. As the threats of sexual violence - death by hanging - physical attacks by % (s) has forced me to seek Protective Custody - Call Springfield's Adult line - & ultimately file AN injunction. Seeking protection from this honorable court as I am continually denied due process.

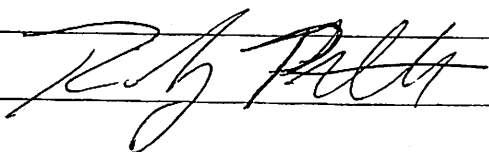
V. RELIEF:

Due to the direct violation of my first Amendment Rights (U.S.C) - Being Subjected to Cruel - & - Unusual punishment in the form of actual physical violence - threat of sexual violence - threat of hanging - threat of death - racial slurs - Violations of Due Process - & - Blatant Deliberate indifference. The plaintiff seeks an injunction - immediately ordering that he is placed in protective custody outside of Lawrence to ensure his safety.

Plaintiff also seeks an order to have Lawrence follow the complete legislated law found in the mandatory language found in Administrative Codes 504 Compensatory Damages of five hundred thousand dollars - & - punitive damages of two hundred - & - fifty thousand.

VI. The plaintiff demands that this case be tried by a jury.

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge. I understand if the information is not correct, I may be sanctioned by the court.



Ricky Patterson
Reg # B79037

signed this 4th day of August
2017

10930 LAWRENCE, ROAD
SUMNER ILLINOIS 62466

EXHIBIT LIST

- EX A. - Commensary Slip Dated (see EX K. As well)
- EX B. - Letter From Appellate Court
- EX C. - Administrative Review Board or Correspondence form
- EX D. - Letter to Administrative Review Board
- EX E. - Summary Report for Ticket # 201700178 / 1
- EX F. - Grievance dated Jan 24-2017
- EX G. - Grievance dated Jan 25-2017
- EX H. - Final Summary Report dated
- EX I. - Affidavit to I.D.O.C Director Baldwin
- EX J. - Grievance dated Nov-14-2016
- EX K. - Final Summary Report Expunging % Buckles ticket.
- EX L. - Patterson v. Wexford Health injunction
- EX M. - Fraudulent Charge : 206 : Intimidation of threat - § 304
- EX N. - Fraudulent Charge : 215 : Disobeying a Direct Order.
- EX O. - Grievance dated May-10-2017
- EX P. - Grievance dated July 20-2017
- EX Q. - Grievance dated July 23, 2017

IN THE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

Ricky PATTERSON

Plaintiff,

v.

c/o D. Johnson # 7275 et al

Defendant

Case No. _____

PROOF/CERTIFICATE OF SERVICE

TO: Clerk office of
U.S. District Court / South Dist
750 MISSOURI AVE
EAST ST LOUIS, 62201

TO: _____

TO: _____

TO: _____

PLEASE TAKE NOTICE that on August 4, 2017, I have placed the documents listed below in the institutional mail at Lawrence Correctional Center, properly addressed to the parties listed above for mailing through the United States Postal Service: Motion for Preliminary Injunction
Civil Rights Complaint 42 U.S.C. § 1983

Pursuant to 28 USC 1746, 18 USC 1621 or 735 ILCS 5/109, I declare, under penalty of perjury, that I am a named party in the above action, that I have read the above documents, and that the information contained therein is true and correct to the best of my knowledge.

DATE: 8/4/17

Is/ R. Patterson
NAME: Ricky PATTERSON
IDOC#: B79037
Lawrence Correctional Center
P.O. BOX 10930 Lawrence Rd
Sumner, IL 62466

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P

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Ricky Patterson-B79037
Hill Correctional Center
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600 Linwood Road
Galesburg, IL 61401

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SOUTHERN DISTRICT OF ILLINOIS
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